



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of:

Alfred WEBER et al.

Serial No.: 09/509,608

Filed: June 19, 2000

For: PROCESS FOR THE PRODUCTION OF ERGOSTEROL AND ITS
INTERMEDIATE PRODUCTS USING RECOMBINANT YEASTS

BOX SEQUENCE

Examiner: K. Kerr

Group Art Unit: 1652

Box Seq
1652
#8/8
no
10/18/01
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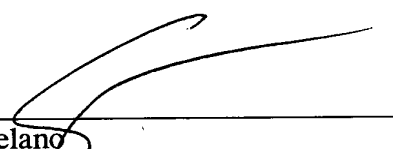
**RESPONSE TO NOTICE TO COMPLY
WITH SEQUENCE DISCLOSURE REQUIREMENTS**

Assistant Commissioner for Patents
Washington, D.C. 20231

Sir:

This paper is responsive to the Communication from the Examiner dated September 14, 2001. Please insert the attached sequence listing. A copy of the sequence listing in computer readable form, along with a statement, is also being provided.

Respectfully submitted,

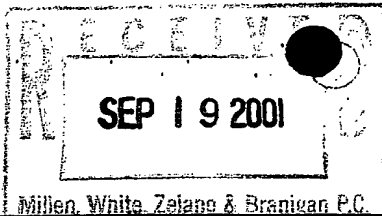


Anthony J. Zelano
Registration No. 27,969
Attorney/Agent for Applicant(s)

MILLEN, WHITE, ZELANO,
& BRANIGAN, P.C.
Arlington Courthouse Plaza I, Suite 1400
2200 Clarendon Boulevard
Arlington, Virginia 22201
Telephone: (703) 243-6333
Facsimile: (703) 243-6410

Attorney Docket No.: SCH-1743

Filed: October 12, 2001



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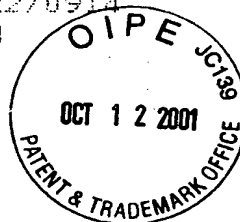
APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.
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09/509,608 06/19/00 WEBER

A SCH1743

MILLEN WHITE ZELANO & BRANIGAN
ARLINGTON COURTHOUSE PLAZA I
2200 CLARENDON BOULEVARD
SUITE 1400
ARLINGTON VA 22201

HM22/0914



EXAMINER

KERR, K

ART UNIT

PAPER NUMBER

1652

DATE MAILED:

09/14/01

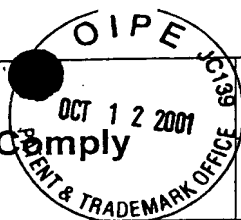
Plase find below and/or attached an Office communication concerning this application or proceeding.

Commissioner of Patents and Trademarks

CASE _____
ACTION Sequence Disclosure
DUE DATE 10/14/01

DKtd 9/25/01 HR *[Signature]*
2 - Mail Copy

Notice to Comply



Application No.

09/509,608

Examiner

Kathleen Kerr

Applicant(s)

Weber *et al.*

Art Unit

1652

**NOTICE TO COMPLY WITH REQUIREMENTS FOR PATENT APPLICATIONS
CONTAINING NUCLEOTIDE SEQUENCE AND/OR AMINO ACID SEQUENCE
DISCLOSURES**

Applicant must file the items indicated below within the time period set the Office action to which the Notice is attached to avoid abandonment under 35 U.S.C. § 133 (extensions of time may be obtained under the provisions of 37 CFR 1.136(a)).

The nucleotide and/or amino acid sequence disclosure contained in this application does not comply with the requirements for such a disclosure as set forth in 37 C.F.R. 1.821 - 1.825 for the following reason(s):

- ☒ 1. This application clearly fails to comply with the requirements of 37 C.F.R. 1.821-1.825. Applicant's attention is directed to the final rulemaking notice published at 55 FR 18230 (May 1, 1990), and 1114 OG 29 (May 15, 1990). If the effective filing date is on or after July 1, 1998, see the final rulemaking notice published at 63 FR 29620 (June 1, 1998) and 1211 OG 82 (June 23, 1998).
- ☐ 2. This application does not contain, as a separate part of the disclosure on paper copy, a "Sequence Listing" as required by 37 C.F.R. 1.821(c).
- ☒ 3. A copy of the "Sequence Listing" in computer readable form has not been submitted as required by 37 C.F.R. 1.821(e).
- ☐ 4. A copy of the "Sequence Listing" in computer readable form has been submitted. However, the content of the computer readable form does not comply with the requirements of 37 C.F.R. 1.822 and/or 1.823, as indicated on the attached copy of the marked -up "Raw Sequence Listing."
- ☐ 5. The computer readable form that has been filed with this application has been found to be damaged and/or unreadable as indicated on the attached CRF Diskette Problem Report. A Substitute computer readable form must be submitted as required by 37 C.F.R. 1.825(d).
- ☐ 6. The paper copy of the "Sequence Listing" is not the same as the computer readable form of the "Sequence Listing" as required by 37 C.F.R. 1.821(e).
- ☐ 7. Other: All sequences in the specification, particularly the claims, must be identified by SEQ ID NOs.

Applicant Must Provide:

- ☒ An initial or substitute computer readable form (CRF) copy of the "Sequence Listing".
- ☐ An initial or substitute paper copy of the "Sequence Listing", as well as an amendment directing its entry into the specification.
- ☒ A statement that the content of the paper and computer readable copies are the same and, where applicable, include no new matter, as required by 37 C.F.R. 1.821(e) or 1.821(f) or 1.821(g) or 1.825(b) or 1.825(d).

For questions regarding compliance to these requirements, please contact:

For Rules Interpretation, call (703) 308-4216

For CRF Submission Help, call (703) 308-4212

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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR /	ATTORNEY DOCKET NO.
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EXAMINER

ART UNIT	PAPER
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DATE MAILED:

Please find below and/or attached an Office communication concerning this application or proceeding.

Commissioner of Patents

Sequence Compliance Requirements:

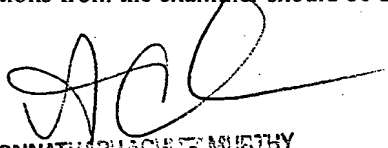
This application contains sequence disclosures that are encompassed by the definitions for nucleotide and/or amino acid sequences set forth in 37 C.F.R. § 1.821(a)(1) and (a)(2). However, this application fails to comply with the requirements of 37 C.F.R. § 1.821-1.825 for the reason(s) set forth on the attached Notice To Comply With Requirements For Patent Applications Containing Nucleotide Sequence And/Or Amino Acid Sequence Disclosures. Applicant must comply with the requirements of the sequence rules (37 C.F.R. § 1.821 - 1.825) before the application can be examined under 35 U.S.C. § 131 and 132.

• APPLICANT IS GIVEN ONE MONTH FROM THE DATE OF THIS LETTER WITHIN WHICH TO COMPLY WITH THE SEQUENCE RULES, 37 C.F.R. § 1.821-1.825. Failure to comply with these requirements will result in ABANDONMENT of the application under 37 C.F.R. § 1.821(g). Extensions of time may be obtained by filing a petition accompanied by the extension fee under the provisions of 37 C.F.R. § 1.136. In no case may an applicant extend the period for response beyond the one month statutory period. Direct the response to the undersigned. Applicant is requested to return a copy of the attached Notice to Comply with the response.

Additional Examiner Notes:

The instant application contains a sequence listing in paper copy, pages 30-32 of the specification as filed on June 19, 2000. However, no computer-readable form of the sequence listing has been filed. Thus, the instant application does not fully comply with the sequence rules. The sequence listing in computer readable form must be filed. If said computer-readable form is not identical to the paper copy filed, an amended paper copy of the sequence listing must also be filed.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Examiner Kathleen Kerr whose telephone number is (703) 305-1229.


PONNATHAPURAM MURTHY
SUPERVISOR, TECHNOLOGICAL
TECHNOLOGICAL